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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**IN RE LOWER MANHATTAN DISASTER
SITE LITIGATION**

**Rolando Peleaz and Monica Villamarin
Plaintiffs,**

-against -

40 Broad LLP, et al.

Defendant.

21 MC 102 (AKH)

07 CV 4507

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel in the above-captioned action, that:

1. Defendant 40 Broad LLC (referred to as 40 Broad LLP throughout the Complaint), is hereby dismissed from the Complaint without prejudice because 40 Broad LLC did not have any ownership interest in the premises known as 40 Broad Street at the times relevant to Plaintiff's allegations.

2. Additionally, it is agreed that the applicable Statute of Limitations as against 40 Broad LLC is tolled until the above-captioned matter is resolved.

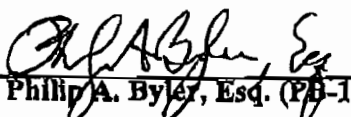
3. This Stipulation may be signed in counterparts, and a facsimile or e-mailed copy shall be deemed to be an original for all purposes.

**Dated: New York, New York
August 7, 2007**

**WORBY GRONER EDELMAN &
NAPOLI BERN, LLP**

By: 
Christopher R. LoPalo (CL-6466)

NESEN OFF & MILTENBERG, LLP

By: 
Philip A. Byler, Esq. (PB-1234)

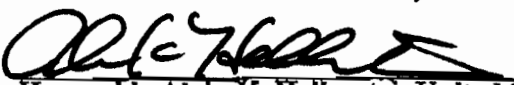
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Attorneys for Plaintiff

**363 Seventh Avenue - 5th Floor
New York, New York 10001
212.736.4500**

Attorneys for Defendant 40 Broad, LLC

SO ORDERED: 8-13-07



Honorable Alvin K. Hellerstein United States District Judge

Dated: